

Rec'd PTO 04 APR 2005

Serial No.: 10/505,361
Attorney Docket No.: 2G02.1-084 US
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: KENNEDY et al.)	
)	
Serial No.: 10/505,361)	
)	Group Art Unit: N/A
Filed: August 19, 2004)	
)	Examiner: N/A
For: "BLOOD ANALYZER AND PRICKING)	
DEVICE FOR USE IN BLOOD)	
ANALYSIS")	
_____)	April 1, 2005

PETITION TO ACCEPT SIGNATURE BY CO-INVENTOR ON BEHALF OF INVENTOR
WHO REFUSES TO JOIN IN APPLICATION OR CANNOT BE REACHED
(37 C.F.R § 1.47(a))

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

GARDNER GROFF, P.C.
100 Parkwood Point
2018 Powers Ferry Road
Suite 800
Atlanta, Georgia 30339

04/07/2005 MKAYPAGH 00000088 10505361

03 FC:1464

130.00 DP

This is a Petition under 37 C.F.R §1.47(a) to accept signature of the Declaration by joint inventors on behalf of Mitchell A. Solis, a non-signing joint inventor who cannot be found or reached after diligent effort.

This Petition is accompanied by the \$130 fee set forth in 37 C.F.R §1.17(h). The Commissioner is authorized to charge any additional fees due or credit any overpayment to Deposit Account 50-1513.

The Declaration signed by the available joint inventors is enclosed, with the signature line for the non-signing inventor left blank, and is to be treated as having been signed by the available joint inventors on behalf of the non-signing inventor. MPEP §409.03(a)(A).

The last known address for the non-signing joint inventor is:

Mitchell A. Solis
1975 Lexington Lane
Cumming, Georgia 30004

The following statement and attachments provide proof of the pertinent facts supporting this Petition:

- (1) On December 22, 2004, the undersigned, acting as counsel for the assignee of this application, forwarded a copy of the application to the non-signing joint inventor, Mitchell A. Solis, along with an inventors' declaration for signature by Mr. Solis. A copy of the correspondence forwarding these materials, along with tracking information from FedEx regarding delivery of the correspondence is attached as Attachment 1 hereto.
- (2) In addition to the written communication, our office has attempted on numerous occasions to contact Mr. Solis by telephone, leaving numerous voicemails requesting a call back. These calls to Mr. Solis have not been returned.
- (4) To date, none of our attempts to reach Mr. Solis and obtain his signature have been successful.

Being warned that willful false statements and the like are punishable by fine or imprisonment or both (18 U.S.C. §1001), and may jeopardize the validity of the application or any patent issuing thereon, all statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true.

Respectfully submitted,



Bradley K. Groff
Registration No. 39,695

GARDNER GROFF, P.C.
100 Parkwood Point
2018 Powers Ferry Road
Suite 800
Atlanta, Georgia 30339
Tel: 770/984-2300
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Certificate of Mailing (37 C.F.R. §1.8)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.



Bradley K. Groff

April 1, 2005

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3 To Recipient's Name Mitchell A. Solis Phone 678,455-4359

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December 22, 2004

Mitchell A. Solis
1975 Lexington Lane
Cumming, Georgia 30004

VIA FEDERAL EXPRESS
Tracking #: 8463 5411 6004

Re: U.S. National Phase Patent Application for
"BLOOD ANALYZER AND PRICKING
DEVICE FOR USE IN BLOOD
ANALYSIS"

Serial No.: 10/505,361
Filing Date: August 19, 2004
Our File No.: 2G02.1-084 US

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Dear Mitch:

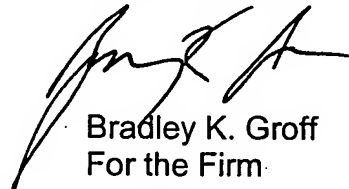
Enclosed are Declarations/Powers of Attorney and Assignments for the above-identified U.S. and PCT patent applications, which you worked with while at Facet. Copies of the applications are enclosed for your review prior to executing the documents.

Mitchell A. Solis
December 22, 2004
Page -2-

Please sign and date the Declarations/Powers of Attorney and Assignments where indicated and return them to me for filing with the Patent Office. Please note that the Assignments need to be notarized. If it is convenient, you can come by our office to have the signatures notarized. If this is not convenient, and you need to pay a notary, let me know and I will arrange for reimbursement. For your convenience, I have enclosed a stamped return envelope to return the signed documents to me.

Thanks in advance for your help on this. Please give me a call if you have any questions or concerns.

Very truly yours,



Bradley K. Groff
For the Firm

BKG:rjh
Enclosures

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